

## Type I or II Categorical Exclusion Action Classification Form

TIP Project No.	BR-0040
WBS Element	67040.1.1
Federal Project No.	N/A

### A. Project Description:

The North Carolina Department of Transportation (NCDOT) proposes to replace Bridge No. 740037 on NC 9 over the Green River in Polk County, North Carolina, for an approximate length of 0.30 miles (Figure 1 – Vicinity Map). The proposed project is listed in the Bridge Program as Project Number BR-0040 and is located approximately three miles north of the unincorporated community and upstream of Mill Spring. Sited in a rural area, the 438-acre Lake Adger and Turner Shoals Dam are to the immediate west of NC 9. Turner Shoals Hydroelectric Station is adjacent to the Dam, with a few single-family residences and open land comprising the existing land use within the project area.

The existing bridge is 156 feet long, with a 24-foot clear roadway width. The existing structure includes two, 11-foot travel lanes and one-foot shoulders. The bridge is approaching the end of its functional life and has a sufficiency rating of 61.17. The purpose of the project is to replace a functionally obsolete bridge with a structure that meets current NCDOT standards.

No off-site detours are anticipated for the project.

### B. Description of Need and Purpose:

The purpose of this project is to replace a functionally obsolete bridge. Bridge No. 740037 was constructed in 1936 and is in need of replacement. Records indicate Bridge No. 740037 has a sufficiency rating of 61.17 out of 100. The bridge is considered functionally obsolete due to a deck geometry rating of 2 out of 9.

### C. Categorical Exclusion Action Classification:

**Type I(A) - Ground Disturbing Action**

### D. Proposed Improvements:

28. Bridge rehabilitation, reconstruction, or replacement or the construction of grade separation to replace existing at-grade railroad crossings, if the actions meet the constraints in 23 CFR 771.117(e)(1-6).

### E. Special Project Information:

#### **Environmental Commitments:**

Greensheet commitments are located at the end of the checklist.

#### **Estimated Traffic:**

Traffic volumes were provided in the August 22, 2018 Traffic Forecast Report.

Current Year (2018)	3,600 Annual Average Daily Traffic (AADT)
Future Year (2040)	4,000 AADT
Tractor Trailer Semi Truck (TTST)	1%
Dual	4%

**Design Exceptions:**

There are no anticipated design exceptions for this project.

**Alternatives Evaluation:**

No Build Alternative – No Build Alternative would not replace a functionally obsolete bridge and would result in eventually closing the road.

Build Alternative – The Build Alternative would consist of replacing the existing 156-foot long structure on NC 9, with an approximately 225-foot long bridge to the east (Appendix A). The clear roadway width will be a minimum of 40-feet, with two, 12-foot travel lanes and eight-foot shoulders along the outside of each travel lane (Figure 2 – Proposed Build Alternative). Preliminary construction limits will extend approximately 625 feet at the south end of the new bridge and 850 feet at the north end, for a total project length of 0.30 miles. The proposed speed limit will be 45 miles per hour (mph).

The replacement bridge will be constructed to the east of the existing structure, and NCDOT will implement phased construction. No off-site detours are anticipated for this project. The two travel lanes on the existing bridge are anticipated to remain open during construction of the new structure to allow for full movement of traffic. One-lane traffic operations may be necessary during final pavement tie-ins, but those operations would be kept at a minimum as traffic movement will shift to the replacement structure and the existing bridge is removed. Deconstruction of the existing bridge will transpire after the construction of the replacement bridge.

**Estimated Costs:**

NCDOT provided cost estimates on November 14, 2019. The preliminary (subject to change) construction costs is \$3,700,000. Right-of-way and utility cost estimates are pending.

**Bridge Demolition:**

Bridge No. 740037 consists entirely of concrete and steel. NCDOT anticipates being able to remove the existing structure with no resulting debris in the water based on standard demolition practices.

**Protected Species:**

As of November 13, 2019, the United States Fish and Wildlife Service (USFWS) lists four federally protected species, under the Endangered Species Act (ESA) for Polk County. Based on a review of the North Carolina Natural Heritage Program (NCNHP) records and biological field surveys, a total of three plant species were found to have a biological conclusion rendering of “No Effect.”

The northern long-eared bat (NLEB) is listed as a “threatened” species under the ESA for Polk County by the USFWS. According to the Section 7 Survey Memo for the NLEB dated December 11, 2019, the nearest NLEB hibernacula record is eight miles north of the project and no known NLEB roost trees occur within 150 feet of the project area. NCDOT has determined the proposed action does not require separate consultation on the grounds that the proposed action is consistent with the final Section 4(d) rule, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016 (Appendix B).

**Jurisdictional Resources:**

Two jurisdictional streams, Green River and an unnamed tributary (UT), were identified in the project study area and in the FEMA Limited Detailed Study. The project proposes a 225-foot long structure to the east of the existing bridge over Green River. To support the new structure, two interior bridge bents will be equally spaced in the Green River, approximately 75-feet apart. Riprap will be extended to the top of the banks for stabilization and Best Management Practices (BMPs) will be followed during construction. There were no other surface water ponds or jurisdictional wetlands identified within the project study area.

**Tribal Territory:**

With the project being located in Polk County, coordination efforts were extended to five tribal territories: the Catawba Indian Nation, Cherokee Nation, Eastern Band of Cherokee Indians, Muscogee (Creek) Nation and the United Keetoowah Band of Cherokee Indians. A Start of Study Letter was sent to the five tribes on October 18, 2019, providing information about the project and requesting comments. Two tribes provided a response (Appendix C).

The Cherokee Nation provided a letter on November 10, 2019, stating the Nation did not foresee the project imparting impacts to Cherokee cultural resources at this time. The Nation requested NCDOT halt all project activities immediately and re-contact the Nation if items of cultural significance are discovered during the course of the project.

The Catawba Indian Nation provided a letter on November 19, 2019, stating no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project area. The Catawba Indian Nation requests NCDOT notify the tribe if Native American artifacts and/or human remains are located during the ground disturbance phase of project.

**Public Involvement:**

A Public Meeting was held on Tuesday, November 27, 2018, at Coopers Gap Baptist Church in the unincorporated community of Mill Spring. Approximately 49 people attended the public meeting, and nine comments were received during the comment period, which ended on December 11, 2018. All comments were in support of the project, and included requests for accommodating truck traffic, the existing bridge to be incorporated as a public space (flower bridge), and river access for fishing and kayaking.

F. Project Impact Criteria Checklists:

<b>F2. Ground Disturbing Actions – Type I (Appendix A) &amp; Type II (Appendix B)</b>			
<p>Proposed improvement(s) that fit Type I Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix A) including 2, 3, 6, 7, 9, 12, 18, 21, 22 (ground disturbing), 23, 24, 25, 26, 27, 28, &amp;/or 30; &amp;/or Type II Actions (NCDOT-FHWA CE Programmatic Agreement, Appendix B) answer the project impact threshold questions (below) and questions 8 – 31.</p> <ul style="list-style-type: none"> <li>• If any question 1-7 is checked “Yes” then NCDOT certification for <b>FHWA approval is required.</b></li> <li>• If any question 8-31 is checked “Yes” then additional information will be required for those questions in Section G.</li> </ul>			
<u>PROJECT IMPACT THRESHOLDS</u> (FHWA signature required if any of the questions 1-7 are marked “Yes”.)		Yes	No
1	Does the project require formal consultation with U.S. Fish and Wildlife Service (USFWS) or National Marine Fisheries Service (NMFS)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
2	Does the project result in impacts subject to the conditions of the Bald and Golden Eagle Protection Act (BGEPA)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
3	Does the project generate substantial controversy or public opposition, for any reason, following appropriate public involvement?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
4	Does the project cause disproportionately high and adverse impacts relative to low-income and/or minority populations?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5	Does the project involve a residential or commercial displacement, or a substantial amount of right of way acquisition?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
6	Does the project require an Individual Section 4(f) approval?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7	Does the project include adverse effects that cannot be resolved with a Memorandum of Agreement (MOA) under Section 106 of the National Historic Preservation Act (NHPA) or have an adverse effect on a National Historic Landmark (NHL)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If any question 8-31 is checked “Yes” then additional information will be required for those questions in Section G.			
<u>Other Considerations</u>		Yes	No
8	Is an Endangered Species Act (ESA) determination unresolved or is the project covered by a Programmatic Agreement under Section 7?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
9	Is the project located in anadromous fish spawning waters?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
10	Does the project impact waters classified as Outstanding Resource Water (ORW), High Quality Water (HQW), Water Supply Watershed Critical Areas, 303(d) listed impaired water bodies, buffer rules, or Submerged Aquatic Vegetation (SAV)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
11	Does the project impact Waters of the United States in any of the designated mountain trout streams?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
12	Does the project require a U.S. Army Corps of Engineers (USACE) Individual Section 404 Permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
13	Will the project require an easement from a Federal Energy Regulatory Commission (FERC) licensed facility?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

<u>Other Considerations for Type I and II Ground Disturbing Actions (continued)</u>		Yes	No
14	Does the project include a Section 106 of the National Historic Preservation Act (NHPA) effects determination other than a No Effect, including archaeological remains?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
15	Does the project involve GeoEnvironmental Sites of Concerns such as gas stations, dry cleaners, landfills, etc.?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
16	Does the project require work encroaching and adversely affecting a regulatory floodway or work affecting the base floodplain (100-year flood) elevations of a water course or lake, pursuant to Executive Order 11988 and 23 CFR 650 subpart A?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
17	Is the project in a Coastal Area Management Act (CAMA) county and substantially affects the coastal zone and/or any Area of Environmental Concern (AEC)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
18	Does the project require a U.S. Coast Guard (USCG) permit?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
19	Does the project involve construction activities in, across, or adjacent to a designated Wild and Scenic River present within the project area?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
20	Does the project involve Coastal Barrier Resources Act (CBRA) resources?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
21	Does the project impact federal lands (e.g. U.S. Forest Service (USFS), USFWS, etc.) or Tribal Lands?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
22	Does the project involve any changes in access control or the modification or construction of an interchange on an interstate?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
23	Does the project have a permanent adverse effect on local traffic patterns or community cohesiveness?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
24	Will maintenance of traffic cause substantial disruption?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
25	Is the project inconsistent with the STIP, and where applicable, the Metropolitan Planning Organization's (MPO's) Transportation Improvement Program (TIP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
26	Does the project require the acquisition of lands under the protection of Section 6(f) of the Land and Water Conservation Act, the Federal Aid in Fish Restoration Act, the Federal Aid in Wildlife Restoration Act, Tennessee Valley Authority (TVA), Tribal Lands, or other unique areas or special lands that were acquired in fee or easement with public-use money and have deed restrictions or covenants on the property?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
27	Does the project involve Federal Emergency Management Agency (FEMA) buyout properties under the Hazard Mitigation Grant Program (HMGP)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
28	Does the project include a <i>de minimis</i> or programmatic Section 4(f)?	<input checked="" type="checkbox"/>	<input type="checkbox"/>
29	Is the project considered a Type I under the NCDOT Noise Policy?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
30	Is there prime or important farmland soil impacted by this project as defined by the Farmland Protection Policy Act (FPPA)?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
31	Are there other issues that arose during the project development process that affected the project decision?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**G. Additional Documentation as Required from Section F (ONLY for questions marked 'Yes'):**

**Response to Question 14 and 28:**

NCDOT Historic Architecture staff determined a historic survey was required for the project on January 8, 2018, based on a review identifying a power plant and dam over fifty years of age located directly west of the existing bridge. A Historic Structures Survey Report was completed in August 2018. An Area of Potential Effect (APE) was determined for the proposed project delineated at 500 feet from either end of the bridge and 75 feet on either side of the center line. The survey recommended that the Turner Shoals Hydroelectric Station and Operators Houses be eligible for the National Register Listing under Criterion A & C. The State Historic Preservation Office (SHPO) concurred with the findings on September 7, 2018. At this time, it was determined that an assessment of effects in coordination with SHPO would be required.

An Effects Determination Meeting was held for the project on October 22, 2019. A determination of "No Adverse Effect" was provided by SHPO for the replacement of the bridge on new alignment. An Environmental Commitment was given to accommodate a new septic system on the east side of NC 9 (Searcy Property) and to cap the existing well on the west side of NC 9. The Searcy property will be connected to the Polk County water system.

NCDOT Archaeological staff determined an archaeological resources survey was required for the project on February 27, 2018. The APE was approximately 4,500 feet long and 500 feet wide. An archaeological reconnaissance on the APE was conducted on March 7, 2018. A No National Register of Historic Places Eligible or Listed Archaeological Sites Present form was submitted on January 28, 2019.

No further architectural or archaeological investigations are required for the project. However, should the project expand outside of the defined APE, additional work will be necessary. NCDOT Cultural Resources determination can be found in Appendix D.

**Response to Question 16:**

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Division 14 Construction shall submit sealed as-built construction plans to the NCDOT Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

The NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP) to determine status of the project with regard to applicability of NCDOT's Memorandum of Agreement (MOA), or approval of a Conditional Letter of Map Revision (CLOMR) and subsequent final Letter of Map Revision (LOMR).

## NCDOT PROJECT COMMITMENTS

TIP Project No. BR-0040  
Replacement of Bridge No. 740037 on NC 9 over Green River  
Polk County  
WBS Element 67040.1.1

### **NCDOT Division 14 Construction Engineer's Office**

In the event any tribal artifacts, items of cultural significance and/or human remains are located during the course of the project, NCDOT Division 14 Construction Engineer's Office will notify Matt Wilkerson, NCDOT Cultural Resources Archaeology Team Lead at (919) 707-6089, or [mtwilkerson@ncdot.gov](mailto:mtwilkerson@ncdot.gov), to coordinate with the Catawba Indian Nation and/or the Cherokee Nation.

### **NCDOT Division 14 Right-of-Way Unit**

In accordance with the determination of "No Adverse Effect" and environmental recommendation from SHPO (Appendix D), NCDOT will replace the existing septic tank on the west side of NC 9 (Searcy Property) with a new septic system on the east side of NC 9 (Searcy Property) and cap the existing well on the west side of NC 9. The Searcy property will be connected to the Polk County water system.

### **NCDOT Division 14 Construction, NCDOT SMU – FEMA Floodplains and Floodways**

This project involves construction activities on or adjacent to FEMA-regulated stream(s). Division 14 Construction shall submit sealed, as-built construction plans to the NCDOT Hydraulics Unit upon completion of project construction, certifying that the drainage structure(s) and roadway embankment that are located within the 100-year floodplain were built as shown in the construction plans, both horizontally and vertically.

### **NCDOT Hydraulics Unit – Floodplain Mapping Coordination**

NCDOT Hydraulics Unit will coordinate with the NC Floodplain Mapping Program (FMP), to determine status of the project with regard to applicability of NCDOT's Memorandum of Agreement (MOA), or approval of a Conditional Letter of Map Revision (CLOMR) and a subsequent final Letter of Map Revision (LOMR).

Categorical Exclusion Approval:

TIP Project No.	<b>BR-0040</b>
WBS Element	<b>67040.1.1</b>
Federal Project No.	<b>N/A</b>

**Prepared By:**

1/21/2020	DocuSigned by: <i>Shawn Blanchard</i>
<u>Date</u>	<u>Shawn Blanchard, Transportation Planner DRMP, Inc.</u>

**Prepared For:**

Structures Management Unit – NCDOT

**Reviewed By:**

1/23/2020	DocuSigned by: <i>Phil Harris</i>
<u>Date</u>	<u>Philip S. Harris III, PE – Environmental Analysis Unit Head North Carolina Department of Transportation, Environmental Analysis Unit</u>



**Approved**

- If NO grey boxes are checked in Section F (pages 2 and 3), NCDOT approves the Type I or Type II Categorical Exclusion.



**Certified**

- If ANY grey boxes are checked in Section F (pages 2 and 3), NCDOT certifies the Type I or Type II Categorical Exclusion for FHWA approval.
- If classified as Type III Categorical Exclusion.

1/23/2020	DocuSigned by: <i>Kevin Fischer</i>
<u>Date</u>	<u>Kevin Fischer, PE – Structures Management Unit North Carolina Department of Transportation</u>

FHWA Approved: For Projects Certified by NCDOT (above), FHWA signature required.

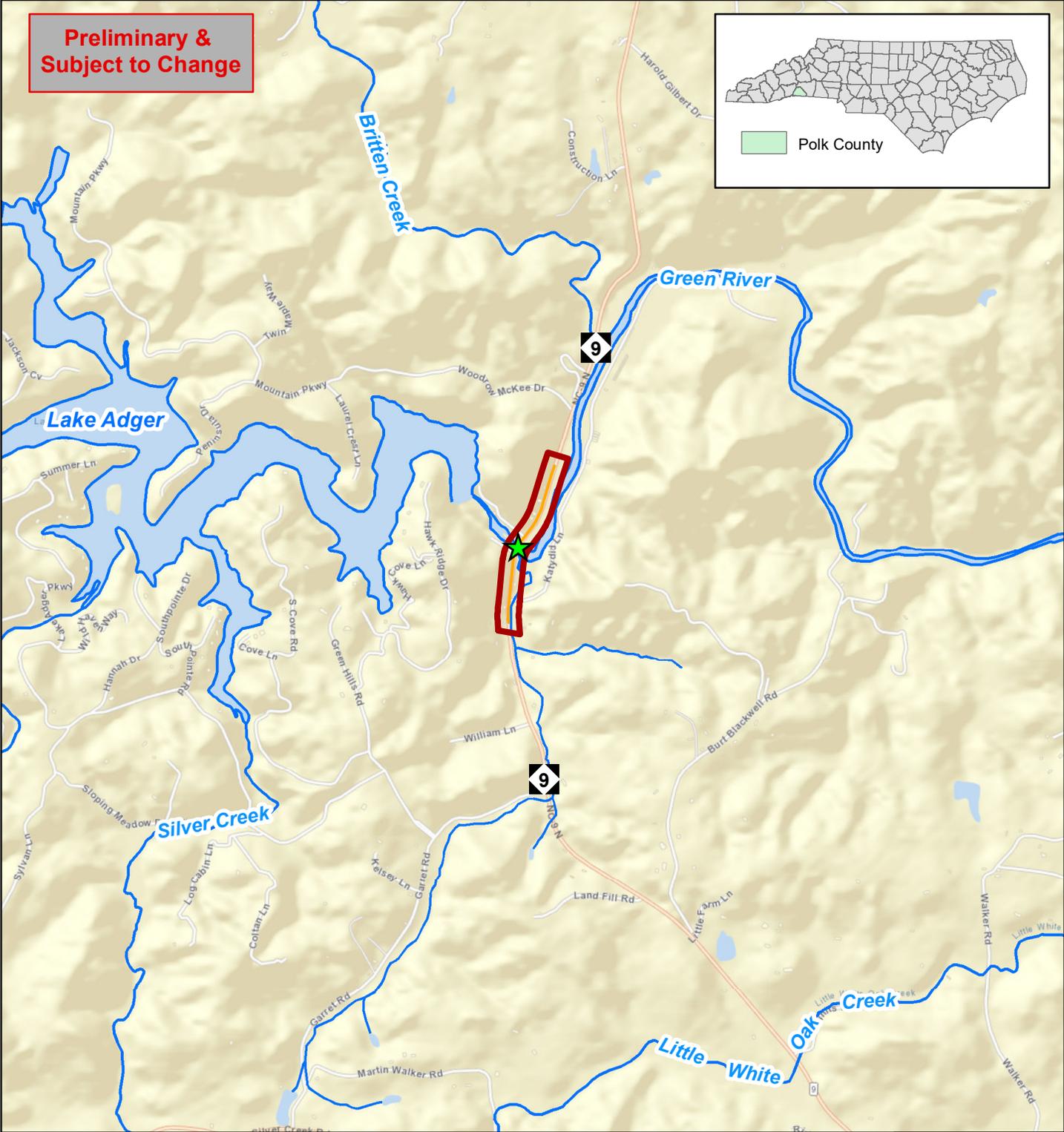
<u>Date</u>	<u>N/A for John F. Sullivan, III, PE, Division Administrator Federal Highway Administration</u>
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*Note: Prior to ROW or Construction authorization, a consultation may be required (please see Section VII of the NCDOT-FHWA CE Programmatic Agreement for more details).*

## **FIGURES**



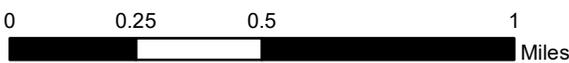
**Preliminary &  
Subject to Change**



January 2020

- Bridge No. 740037
- Rivers & Streams
- BR-0040 Project Limits
- BR-0040 Project Study Area

Service Layer Credits: Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand), NGCC, (c) OpenStreetMap contributors, and the GIS User Community



**Figure 1**

**Preliminary &  
Subject to Change**



*Lake Adger*



*Green River*

*Unnamed Tributary*



**North Carolina  
Department of Transportation  
Structures Management Unit**

**Bridge No. 740037  
NC 9 over Green River  
TIP No. BR-0040  
Polk County, North Carolina  
Proposed Build Alternative**



-  Rivers and Streams
-  Proposed Edge of Travel
-  Proposed Shoulder
-  Proposed Bridge
-  BR-0040 Study Area

**January 2020**

**Figure 2**

## **APPENDIX A**

### **BR-0040 Plan Sheets**

05/30/17

See Sheet 1A For Index of Sheets  
See Sheet 1B For Conventional Symbols  
See 1C Sheet Series For Survey Control

STATE OF NORTH CAROLINA  
DIVISION OF HIGHWAYS

**POLK COUNTY**

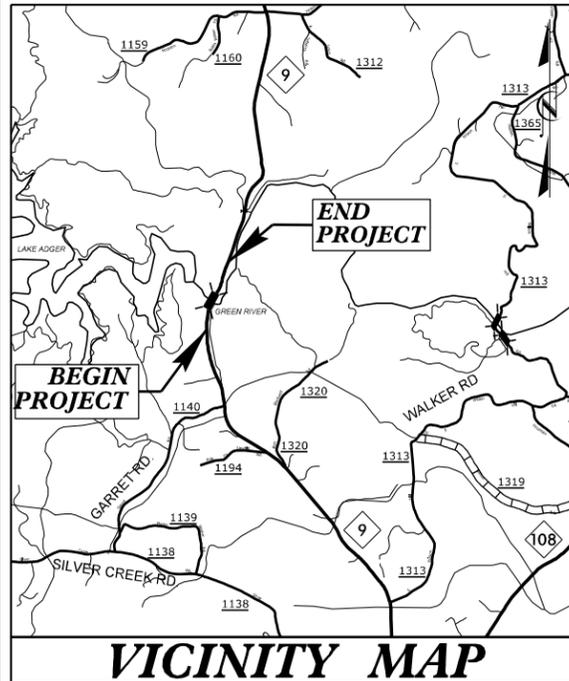
**LOCATION: REPLACE BRIDGE NO. 37 ON NC 9  
OVER GREEN RIVER**

**TYPE OF WORK: GRADING, DRAINAGE, PAVING AND STRUCTURE**

STATE	STATE PROJECT REFERENCE NO.	SHEET NO.	TOTAL SHEETS
N.C.	BR-0040	1	
STATE PROJ. NO.	P.A. PROJ. NO.	DESCRIPTION	
67040.1.1	N/A	P.E.	
67040.2.1	N/A	R/W	
67040.2.1	N/A	UTILITES	



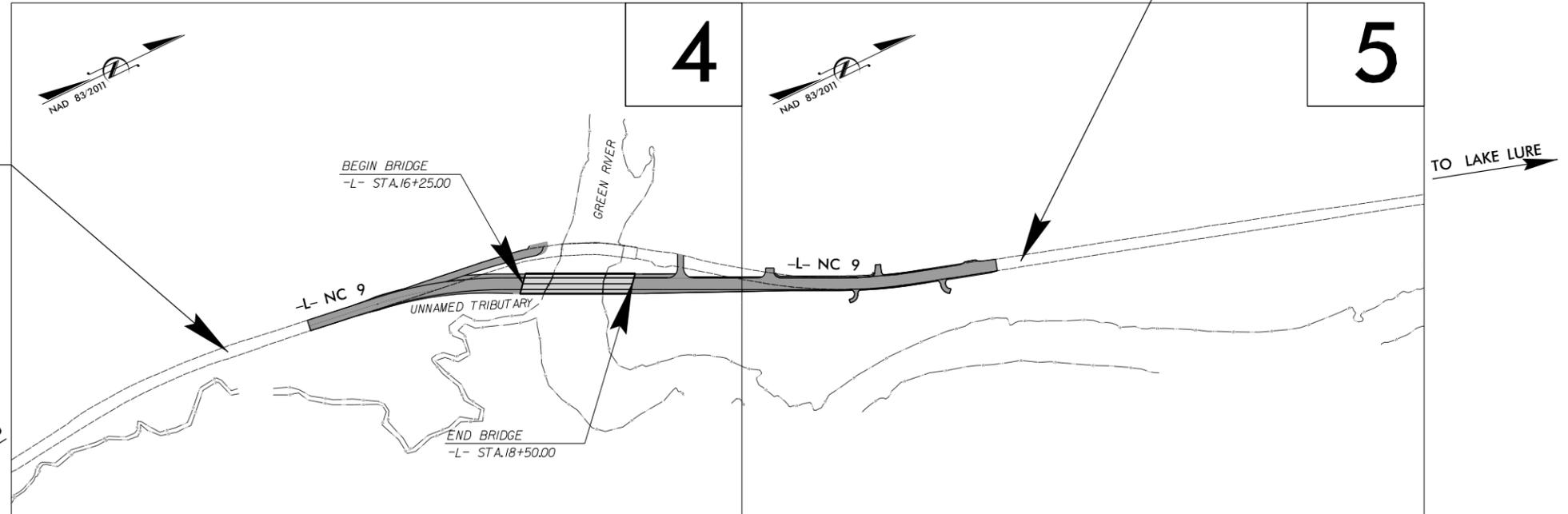
**TIP PROJECT: BR-0040**



**VICINITY MAP**

NOT TO SCALE

**CFI PLANS**



**BEGIN TIP PROJECT BR-0040  
PCC -L- STA. 10 + 00.00**

**END TIP PROJECT BR-0040  
POT -L- STA. 27 + 00.00**

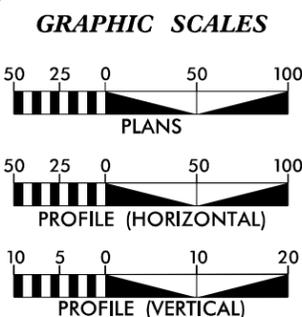
THERE IS NO CONTROL OF ACCESS ON THIS PROJECT.

THIS PROJECT IS NOT WITHIN ANY MUNICIPAL BOUNDARIES

CLEARING ON THIS PROJECT SHALL BE PERFORMED TO THE LIMITS ESTABLISHED BY METHOD   II  .

**INCOMPLETE PLANS**  
DO NOT USE FOR R/W ACQUISITION  
DOCUMENT NOT CONSIDERED FINAL  
UNLESS ALL SIGNATURES COMPLETED

**CONTRACT:**



**DESIGN DATA**

ADT 2018	=	3,600
ADT 2040	=	4,000
K	=	9 %
D	=	55 %
T	=	5 % *
V	=	50 MPH
*(TTST = 1% + DUAL 4%)		
FUNC CLASS =		
MAJOR COLLECTOR		
REGIONAL TIER		

**PROJECT LENGTH**

LENGTH ROADWAY TIP PROJECT BR-0040	.....	0.279 MI
LENGTH STRUCTURE TIP PROJECT BR-0040	.....	0.043 MI
TOTAL LENGTH OF TIP PROJECT BR-0040	.....	0.322 MI

PLANS PREPARED BY:



**DRMP**  
ENGINEERS SURVEYORS PLANNERS SCIENTISTS

FOR  
**DIVISION OF HIGHWAYS**

2018 STANDARD SPECIFICATIONS

**RIGHT OF WAY DATE:**  
MARCH 19, 2020

**LETTING DATE:**  
MARCH 16, 2021

DRMP, INC.  
4235 SOUTH STREAM BLVD., SUITE 150  
CHARLOTTE, NORTH CAROLINA 28217  
(704) 332-2289  
NC LICENSE NO. C-2213

**CHRISTOPHER K. HAIRE, P.E.**  
PROJECT ENGINEER

**AARON J. COLLINS, E.I.**  
PROJECT DESIGN ENGINEER

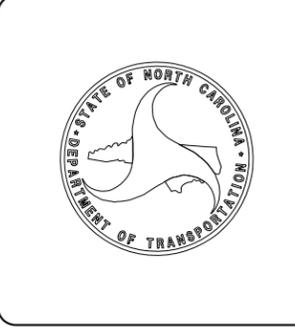
NCDOT CONTACT:  
**DAVID STUTTS, P.E.**  
PROJECT ENGINEER - PE/PROGRAM MGT.

**HYDRAULICS ENGINEER**

SIGNATURE: \_\_\_\_\_ P.E.

**ROADWAY DESIGN ENGINEER**

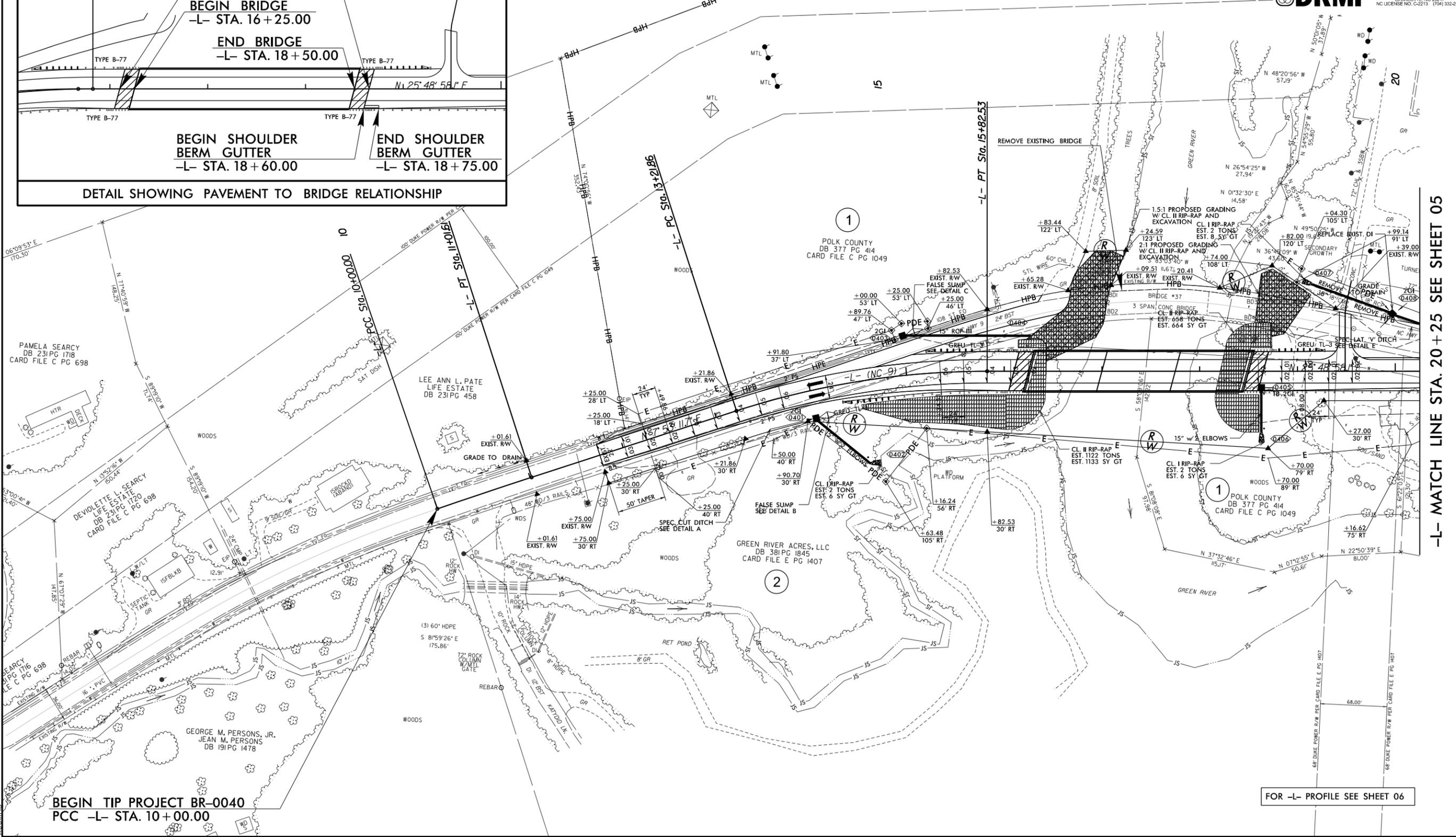
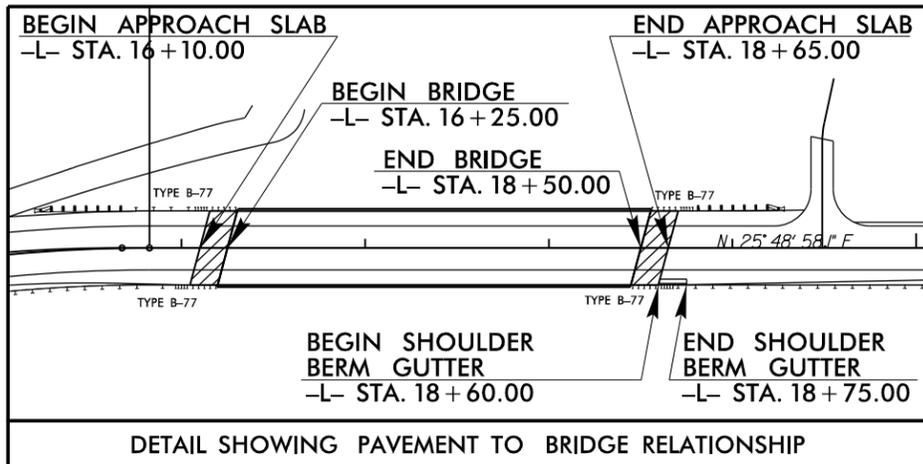
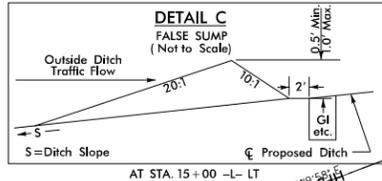
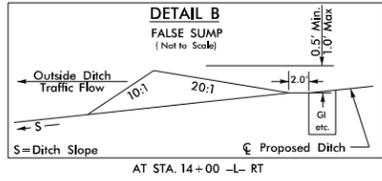
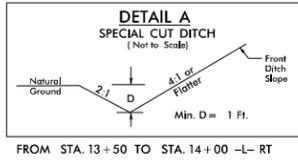
SIGNATURE: \_\_\_\_\_ P.E.



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A.Collins

PROJECT REFERENCE NO. BR-0040		SHEET NO. 04	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION			
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED			

-L-	
PI Sta 10+50.80	PI Sta 14+53.27
$\Delta = 0^{\circ} 59' 54.8''$ (RT)	$\Delta = 17^{\circ} 55' 46.4''$ (RT)
$D = 0^{\circ} 58' 58.0''$	$D = 6^{\circ} 52' 41.7''$
$L = 101.61'$	$L = 260.67'$
$T = 50.80'$	$T = 131.41'$
$R = 5,830.00'$	$R = 833.00'$
$V = 50$ MPH	$V = 50$ MPH
$RO = 144'$	$RO = 144'$



8/17/2020 3:23:41PM K:\BR0040\Foodway\Proj\BR0040\_Rdy\_psh4.dgn

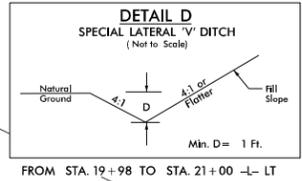
-L- MATCH LINE STA. 20+25 SEE SHEET 05

8/17/20

PROJECT REFERENCE NO. BR-0040		SHEET NO. 05	
RW SHEET NO.			
ROADWAY DESIGN ENGINEER		HYDRAULICS ENGINEER	
<b>INCOMPLETE PLANS</b> DO NOT USE FOR R/W ACQUISITION			
<b>DOCUMENT NOT CONSIDERED FINAL</b> UNLESS ALL SIGNATURES COMPLETED			

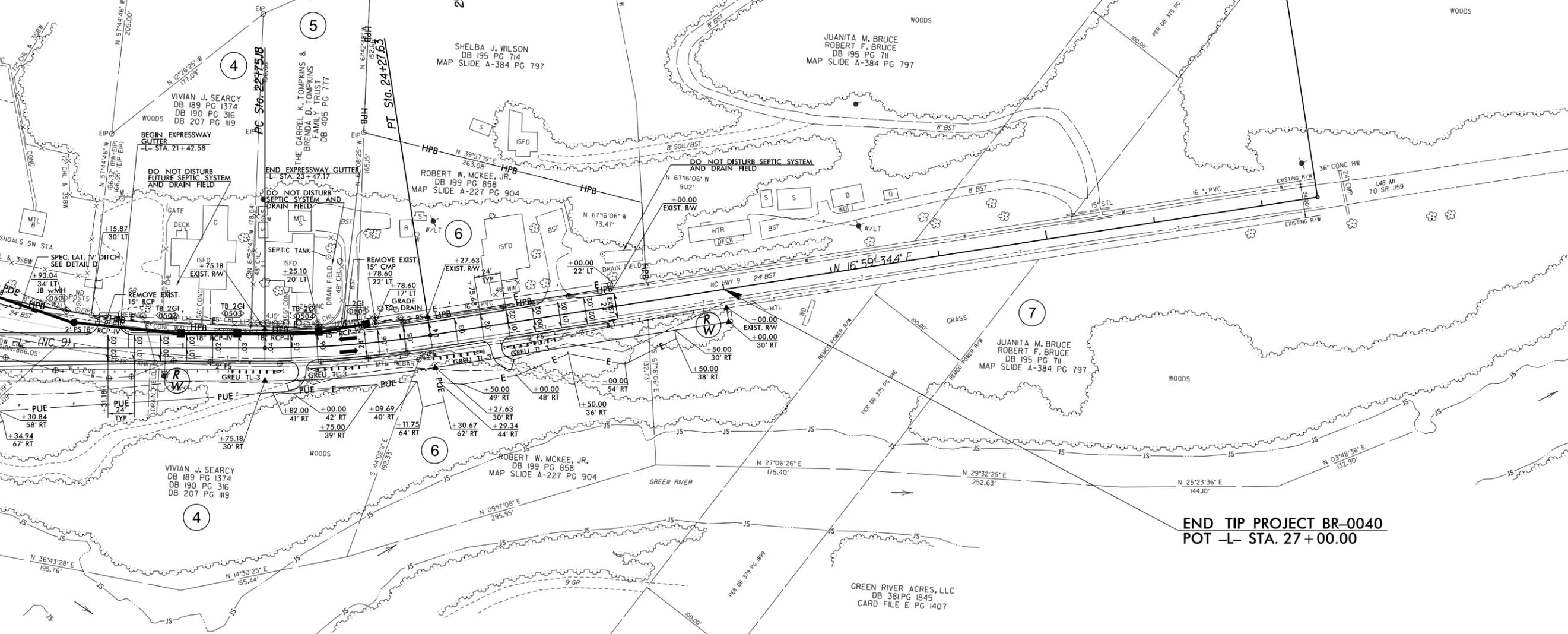
-L-

PI Sta 23+51.55  
 $\Delta = 8' 49' 23.6" (LT)$   
 $D = 5' 47' 14.8"$   
 $L = 152.45'$   
 $T = 76.38'$   
 $R = 990.00'$   
 $V = 50 MPH$   
 $RO = 144'$



-L- MATCH LINE STA. 20 + 25 SEE SHEET 04

3  
DUKE POWER CO.  
TURNER SHOALS  
SUBSTATION  
CARD FILE C PG 1049



END TIP PROJECT BR-0040  
POT -L- STA. 27+00.00

FOR -L- PROFILE SEE SHEET 06

1/7/2020 3:23:44 PM  
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Collins

## **APPENDIX B**

### **Section 7 Survey Results for the Northern Long-Eared Bat**



STATE OF NORTH CAROLINA  
DEPARTMENT OF TRANSPORTATION

ROY COOPER  
GOVERNOR

JAMES H. TROGDON, III  
SECRETARY

December 11, 2019

TO: Bill Barrett, Environmental Senior Specialist  
Environmental Coordination & Permitting Group, EAU

FROM: Melissa Miller, Environmental Program Consultant  
Biological Surveys Group, EAU

SUBJECT: Section 7 survey results for the northern long-eared bat (*Myotis septentrionalis*) associated with the replacement of Bridge No. 37 over Green River on NC 9 in Polk County, **TIP No. BR-0040**.

The North Carolina Department of Transportation (NCDOT, Division 14) proposes to replace Bridge No. 37 over Green River on NC 9 in Polk County, TIP No. BR-0040. The existing bridge is a three span structure with concrete beams, deck, end walls, and guard rails. The overall length of the structure is 156.6 feet.

Northern long-eared bat

The project to replace Bridge No. 37 has been reviewed for effects on the northern long-eared bat (NLEB). As of May 4, 2015, NLEB is listed by the U.S. Fish and Wildlife Service (USFWS) as "Threatened" under the Endangered Species Act of 1973. As of December 11, 2019, NLEB is listed by USFWS ([http://www.fws.gov/raleigh/species/cntylist/nc\\_counties.html](http://www.fws.gov/raleigh/species/cntylist/nc_counties.html)) as "current" in Polk County. USFWS also established a final rule under the authority of section 4(d) of the Endangered Species Act that provides measures for the conservation of NLEB. The USFWS has tailored the final 4(d) rule to prohibit the take of NLEB from certain activities within areas where they are in decline. This incidental take protection applies only to known NLEB occupied maternity roost trees and known NLEB hibernacula. Effective February 16, 2016, incidental take resulting from tree removal is prohibited if it 1) occurs within a ¼ mile radius of known NLEB hibernacula; or 2) cuts or destroys known occupied maternity roost trees or any other trees within a 150-foot radius from the known maternity tree during the pup season (June 1-July 31).

According to the North Carolina Natural Heritage Program (NHP) Biotics Database, most recently updated October 2019, **the nearest NLEB hibernacula record is 8 miles north of the project and no known NLEB roost trees occur within 150 feet of the project area.**

NCDOT has also reviewed the USFWS Asheville Field office website ([http://www.fws.gov/asheville/htmls/project\\_review/NLEB\\_in\\_WNC.html](http://www.fws.gov/asheville/htmls/project_review/NLEB_in_WNC.html)) for consistency with NHP records. This project is located entirely outside of the red highlighted areas (12-digit HUC) that the USFWS Asheville Field Office has determined to be representative of an area that may require consultation.

For the proposed action, NCDOT has committed to the conservation measures listed below:

- 1) No alterations of a known hibernacula entrance or interior environment if it impairs an essential behavioral pattern, including sheltering northern long-eared bats (January 1 through December 31);
- 2) No tree removal within a 0.25 mile radius of a known hibernacula (January 1 through December 31); and
- 3) No cutting or destroying a known, occupied maternity roost tree, or any other trees within a 150-foot radius from the known, occupied maternity tree during the period from June 1 through and including July 31.

**NCDOT has determined that the proposed action does not require separate consultation on the grounds that the proposed action is consistent with the final Section 4(d) rule**, codified at 50 C.F.R. § 17.40(o) and effective February 16, 2016. NCDOT may presume its determination is informed by best available information and consider Section 7 responsibilities fulfilled for NLEB.

If you need any additional information, please contact Melissa Miller at 919-707-6127.

## **APPENDIX C**

### **Tribal Coordination**

**Tribal Historic Preservation Office**  
1536 Tom Steven Road  
Rock Hill, South Carolina 29730

Office 803-328-2427  
Fax 803-328-5791



November 19, 2019

Attention: David Stutts  
State of NC Dept. of Transportation  
1581 Mail Service Center  
Raleigh, NC 27699

Re. THPO #	TCNS #	Project Description
2020-193-4		Replacement of Bridge # 740037 on NC 9 over Green River in Polk County, NC BR-0040

Dear Mr. Stutts,

The Catawba have no immediate concerns with regard to traditional cultural properties, sacred sites or Native American archaeological sites within the boundaries of the proposed project areas. **However, the Catawba are to be notified if Native American artifacts and / or human remains are located during the ground disturbance phase of this project.**

If you have questions please contact Caitlin Rogers at 803-328-2427 ext. 226, or e-mail [caitlinh@ccppcrafts.com](mailto:caitlinh@ccppcrafts.com).

Sincerely,

Wenonah G. Haire  
Tribal Historic Preservation Officer



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Office of the Chief

**Chuck Hoskin Jr.**  
*Principal Chief*

**Bryan Warner**  
*Deputy Principal Chief*

November 10, 2019

David Stutts  
North Carolina Department of Transportation  
Structures Management Unit  
1581 Mail Service Center  
Raleigh, NC 27699

Re: Project BR-0040, Bridge #740037 Replacement

Mr. David Stutts:

The Cherokee Nation (Nation) is in receipt of your correspondence about **Project BR-0040, Bridge #740037 Replacement**, and appreciates the opportunity to provide comment upon this project. Please allow this letter to serve as the Nation's interest in acting as a consulting party to this proposed project.

The Nation maintains databases and records of cultural, historic, and pre-historic resources in this area. Our Historic Preservation Office reviewed this project, cross referenced the project's legal description against our information, and found no instances where this project intersects or adjoins such resources. Thus, the Nation does not foresee this project imparting impacts to Cherokee cultural resources at this time.

However, the Nation requests that the North Carolina Department of Transportation (NCDOT) halt all project activities immediately and re-contact our Offices for further consultation if items of cultural significance are discovered during the course of this project.

Additionally, the Nation requests that NCDOT conduct appropriate inquiries with other pertinent Tribal and Historic Preservation Offices regarding historic and prehistoric resources not included in the Nation's databases or records.

If you require additional information or have any questions, please contact me at your convenience. Thank you for your time and attention to this matter.

Wado,

Elizabeth Toombs, Tribal Historic Preservation Officer  
Cherokee Nation Tribal Historic Preservation Office  
elizabeth-toombs@cherokee.org  
918.453.5389

## **APPENDIX D**

### **Cultural Resources Determination**



## HISTORIC ARCHITECTURE AND LANDSCAPES ASSESSMENT OF EFFECTS FORM

This form only pertains to Historic Architecture and Landscapes for this project. It is not valid for Archaeological Resources. You must consult separately with the Archaeology Group.

### PROJECT INFORMATION

<b>Project No:</b>	BR-0040	<b>County:</b>	Polk
<b>WBS No.:</b>	67040.3.1	<b>Document Type:</b>	MCC
<b>Fed. Aid No:</b>	N/A	<b>Funding:</b>	<input checked="" type="checkbox"/> State <input type="checkbox"/> Federal
<b>Federal Permit(s):</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>Permit Type(s):</b>	USACE
<b><u>Project Description:</u></b> Replace Bridge No. 740037 on NC 9 over Green River.			

### SUMMARY OF HISTORIC ARCHITECTURE AND LANDSCAPES REVIEW

**Description of review activities, results, and conclusions:**

Review of HPO quad maps, HPO GIS information, historic designations roster, and indexes was undertaken on January 8, 2018. Based on this review, there is a power plant and dam over fifty years of age directly west of the bridge that warranted further evaluation. An evaluation was completed in August 2018 which recommended that the Turner Shoals Hydroelectric Station and Operators Houses (PL310) is eligible for National Register listing. The State Historic Preservation Office concurred with this finding on September 7, 2018. An assessment of effects in coordination with the State Historic Preservation Office is required.

### ASSESSMENT OF EFFECTS

<b>Property Name:</b>	Turner Shoals Hydroelectric Station and Operators Houses	<b>Status:</b>	Determined Eligible
<b>Survey Site No.:</b>	PL0310	<b>PIN:</b>	
<b>Effects</b> <input type="checkbox"/> No Effect <input checked="" type="checkbox"/> No Adverse Effect <input type="checkbox"/> Adverse Effect			
<b><u>Explanation of Effects Determination:</u></b> No Adverse Effect to replace bridge on new alignment downstream of existing structure w/ conditions below:			
<b><u>List of Environmental Commitments:</u></b> 1. New Septic system for Searcy Property and caps well.			





**NO NATIONAL REGISTER OF HISTORIC PLACES  
ELIGIBLE OR LISTED ARCHAEOLOGICAL SITES  
PRESENT FORM**



This form only pertains to ARCHAEOLOGICAL RESOURCES for this project. It is not valid for Historic Architecture and Landscapes. You must consult separately with the Historic Architecture and Landscapes Group.

**PROJECT INFORMATION**

Project No: BR-0040 County: Polk  
 WBS No: 67040 Document: State Minimum Criteria Checklist  
 F.A. No: Funding:  State  Federal  
 Federal Permit Required?  Yes  No Permit Type: USACE

**Project Description:**

Replace Bridge 37 on NC 9 over the Green River in Polk County. The Area of Potential Effects (A.P.E.) is approximately 1,373 meters (4,500 ft.) long and 153 meters (500 ft.) wide.

**SUMMARY OF ARCHAEOLOGICAL FINDINGS**

***The North Carolina Department of Transportation (NCDOT) Archaeology Group reviewed the subject project and determined:***

- There are no National Register listed ARCHAEOLOGICAL SITES within the project's area of potential effects. (Attach any notes or documents as needed.)  
 No subsurface archaeological investigations were required for this project.  
 Subsurface investigations did not reveal the presence of any archaeological resources.  
 Subsurface investigations did not reveal the presence of any archaeological resources considered eligible for the National Register.  
 All identified archaeological sites located within the APE have been considered and all compliance for archaeological resources with Section 106 of the National Historic Preservation Act and GS 121-12(a) has been completed for this project.

***Brief description of review activities, results of review, and conclusions:***

see attached archaeological survey report

**SUPPORT DOCUMENTATION**

See attached:  Map(s)  Previous Survey Info  Photos  Correspondence

Other:

Signed:

**CALEB SMITH**

**1/28/2019**

NCDOT ARCHAEOLOGIST

Date